



UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 24 2004

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

William M. Lee, Jr.  
Barnes & Thornburg  
P.O. Box 2786  
Chicago, IL 60690-2786

Paper No.

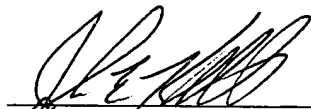
In re Application of	:	DECISION ON PETITION
Eleanor Schuler et al	:	TO WITHDRAW
Serial No. : 10/000,005	:	HOLDING OF
Filed : November 20, 2001	:	ABANDONMENT
For : Method to Record, Store and Broadcast Specific	:	
Brain Waveforms to Modulate Body Organ	:	
Functioning	:	

This is a decision on petitioner's request filed March 5, 2004 (second request filed July 15, 2004), requesting review of the holding of abandonment mailed February 11, 2004, for failure to file a response to the Office action mailed February 28, 2003. There is no fee required for this petition.

In support of the request, petitioner has submitted a copy of a response and a copy of a PTO stamped receipt dated June 2, 2003 (certificate of mailing dated May 28, 2003) as evidence of the timely filing of a response to the Office action of February 28, 2003.

In view of the above, the Notice of Abandonment mailed February 11, 2004 is in error and is hereby vacated. The holding of abandonment is withdrawn. Upon the mailing of this decision, the application will be forwarded to the Examiner for consideration of the response filed June 2, 2003 as well as the amendment filed September 5, 2003.

Summary: Holding of Abandonment Withdrawn.

  
\_\_\_\_\_  
John E. Kittle, Director  
Groups 3730 and 3760  
Phone: (703) 308-0873

ak/09/16/04